

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dalleo
CLERK OF COURT

LOCKBOX 18
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

October 13, 2006

TO: James W. Riley
#169716
DCC

RE: Request for Copy of Docket, CA 06-01 GMS

Dear Mr. Riley:

A letter has been received by the Clerk's office from you requesting a copy of the docket from the above noted civil action.

Please be advised that in accordance with the directive from the Judicial Conference of the United States the fee for copies (including docket sheets) is fifty (\$.50) cents per page. ***A copy of the docket is enclosed, free of charge for this request only. Should you require copies (including docket sheets) in the future,*** please be aware of this fee requirement. Prepayment should be sent with your request, check or money order payable to Clerk, U.S. District Court.

Nothing contained in this letter is intended to express an opinion as to the merits of any claims which you may be alleging.

Sincerely,

/s/

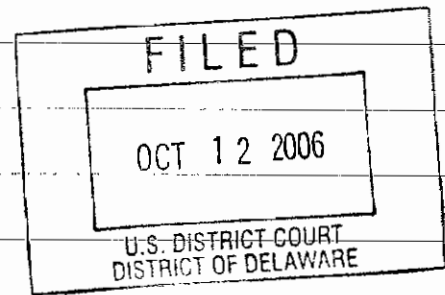
PETER T. DALLEO
CLERK

/rbe

cc: The Honorable Gregory M. Sleet, CA 06-01 GMS

From : James W. Riley
Delaware Correctional Center
1181 Paddock Road
Smyrna, Delaware 19977

To : Clerk of The Court
U. S District Court OF Dela.
844 King Street, Lockbox 18
Wilmington, Delaware 19801



Re: Riley v. Taylor, C.A. No. 06-01 GMS

Dear Clerk,

It seem to be a discrepancy in what was Filed by plaintiff Riley and the Court's ORDER dated October 3, 2006 which conflict with Plaintiff's Motion To Stay All Proceedings.

Therefore, please provide plaintiff with an up-to-date Docket Sheet to verify all entries so that plaintiff may exercise his right to file an adequate response to the Court's erroneous October 3, 2006 Order.

Thank you!
James Riley
Plaintiff

Date: Oct. 10, 2006

PaperDocuments

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:06-cv-00001-GMS
Internal Use Only**

Riley v. Taylor et al
Assigned to: Honorable Gregory M. Sleet
Related Cases: [1:00-cv-00366-JJF](#)
[1:01-cv-00695-JJF](#)
[1:04-cv-01435-GMS](#)
[1:05-cv-00878-GMS](#)
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 01/03/2006
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner: Prison
Conditions
Jurisdiction: Federal Question

Plaintiff

James W. Riley

represented by **James W. Riley**
#169716
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977
PRO SE

V.

Defendant

Stanley Taylor

represented by **Ophelia Michelle Waters**
Department of Justice
820 N. French Street, 8th Floor
Carvel Office Building
Wilmington, DE 19801
(302) 577-8400
Email: ophelia.waters@state.de.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Thomas Carroll

represented by **Ophelia Michelle Waters**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

David Pierce

represented by **Ophelia Michelle Waters**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Amy Munson***TERMINATED: 10/03/2006***Defendant****Medical Assistant Malaney**represented by **Kevin J. Connors**Marshall, Dennehey, Warner, Coleman
& Goggin

1220 N. Market St., Suite 500

P.O. Box 8888

Wilmington, DE 19899






(302) 552-4300

Email: kjconnors@mdwecg.com

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****Correctional Medical Systems**represented by **Kevin J. Connors**

(See above for address)


*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****First Correctional Medical**

Date Filed	#	Docket Text
01/03/2006	 <u>1</u>	MOTION for Leave to Proceed in forma pauperis - filed by James W. Riley on 12/29/05. (Attachments: # <u>1</u> Financial Statement)(els,) Modified on 1/4/2006 (els,). (Entered: 01/04/2006)
01/03/2006	 <u>2</u>	COMPLAINT filed pursuant to 42:1983 with Jury Demand against Stanley Taylor, Thomas Carroll, David Pierce, Amy Munson, Malaney, Correctional Medical Systems, First Correctional Medical - filed by James W. Riley on 12/29/05.(els,) Modified on 1/4/2006 (els,). (Entered: 01/04/2006)
01/03/2006	 <u>3</u>	Letter to Clerk from James Riley regarding Filing and Marshal Forms - filed on 12/29/05 re <u>2</u> Complaint. (els,) Modified on 1/4/2006 (els,). (Entered: 01/04/2006)
01/11/2006	 <u>3</u>	Case assigned to Judge Gregory M. Sleet. Please include the initials of the Judge (GMS) after the case number on all documents filed. (rjb,) (Entered: 01/11/2006)
01/17/2006	 <u>4</u>	ORDER granting Motion to Proceed IFP. Filing Fee of \$250.00 Assessed. Plaintiff has no assets to pay initial filing fee and any money plaintiff later receives will be collected in the manner described in order. Plaintiff shall return the attached payment authorization within 30 days. Failure to return payment authorization shall result in dismissal of action

		without prejudice. (Copy to pltf.) Notice of Compliance deadline set for 2/16/2006. Signed by Judge Gregory M. Sleet on 1/17/06. (asw,) (Entered: 01/18/2006)
01/26/2006	<u>5</u>	Authorization by James W. Riley requesting Prison Business Office to disburse payments to the Clerk of the Court. (copy of assessment order and authorization to Prison Business Office). (mmm) (Entered: 01/26/2006)
02/28/2006		***Set Paper Documents Flag (rbe,) (Entered: 02/28/2006)
03/09/2006	<u>6</u>	ORDER re: Service, Plaintiff shall return to Clerk original USM 285 form(s) for each defendant. Upon receipt, the U.S. Marshal shall serve process as directed by plaintiff. (Copy to pltf. with 285 forms). Signed by Judge Gregory M. Sleet on 3/9/06. (asw) (Entered: 03/13/2006)
04/10/2006	<u>7</u>	USM 285 forms received for the following defendants: Stanley Taylor; Thomas Carroll; David Pierce; Amy Munson; Medical Assistant Malaney; Correctional Medical Systems; First Correctional Medical; and Carol Danberg, Attorney General of the State of Delaware. (mmm) (Entered: 04/11/2006)
04/10/2006	<u>7</u>	Letter to James W. Riley from Clerk of the Court regarding U.S. Marshal 285 forms have been received and will be forwarded to the U.S. Marshal for service in accordance with the Court's orders. (mmm) (Entered: 04/11/2006)
04/11/2006	<u>8</u>	Exit USM 285 forms to U.S. Marshal (mmm) (Entered: 04/11/2006)
04/28/2006	<u>8</u>	USM 285 Returned Executed as to the Attorney General of the State of Delaware. (mmm) (Entered: 04/28/2006)
05/05/2006	<u>9</u>	WAIVER OF SERVICE with 285 form returned executed for David Pierce. Waiver sent on 4/26/2006, answer due 6/26/2006. (mmm) (Entered: 05/05/2006)
05/09/2006	<u>10</u>	WAIVER OF SERVICE with 285 form returned executed for Stanley Taylor. Waiver sent on 4/26/2006, answer due 6/26/2006. (mmm) (Entered: 05/09/2006)
05/17/2006	<u>11</u>	WAIVER OF SERVICE with 285 form returned executed for Thomas Carroll. Waiver sent on 4/26/2006, answer due 6/26/2006. (mmm) (Entered: 05/17/2006)
06/21/2006	<u>12</u>	NOTICE of Appearance by Kevin J. Connors on behalf of Correctional Medical Systems (Attachments: # <u>1</u> Certificate of Compliance CERTIFICATE OF SERVICE - ENTRY OF APPEARANCE)(Connors, Kevin) (Entered: 06/21/2006)
06/22/2006	<u>13</u>	MOTION for Extension of Time to File Response/Reply <i>Motion of Defendants, Medical Assistant Malaney and Correctional Medical Services, Inc., for an Extension of Time to Respond to Plaintiff's Complaint</i> - filed by Correctional Medical Systems. (Attachments: # <u>1</u> Rule 7.1.1 Statement of Defendants, Medical Assistant Malaney and

		Correctional Medical Services, Inc.# 2 Certificate of Service)(Connors, Kevin) (Entered: 06/22/2006)
06/22/2006	<u>14</u>	PROPOSED ORDER to Motion of Defendants, Medical Assistant Malaney and Correctional Medical Services, Inc., for an Extension of Time to Respond to Plaintiff's Complaint by Correctional Medical Systems. (Connors, Kevin) Additional attachment(s) added on 8/29/2006 (asw,). (Entered: 06/22/2006)
06/22/2006	<u>14</u>	SO ORDERED, re <u>14</u> Proposed Order filed by Correctional Medical Systems. Reset Answer Deadlines: Malaney answer due 7/31/2006; Correctional Medical Systems answer due 7/31/2006. Ordered by Judge Gregory M. Sleet on 6/22/06. (asw) (Entered: 06/22/2006)
06/26/2006	<u>15</u>	WAIVER OF SERVICE with 285 form returned executed for Correctional Medical Systems. Waiver sent on 4/26/2006, answer due 6/26/2006. (mmm) (Entered: 06/26/2006)
06/26/2006	<u>16</u>	NOTICE of Appearance by Ophelia Michelle Waters on behalf of Stanley Taylor, Thomas Carroll, David Pierce (Waters, Ophelia) (Entered: 06/26/2006)
06/26/2006	<u>17</u>	ANSWER to Complaint by Stanley Taylor, Thomas Carroll, David Pierce.(Waters, Ophelia) (Entered: 06/26/2006)
07/18/2006	<u>18</u>	USM 285 Returned Unexecuted as to Medical Assistant Malaney. (mmm) (Entered: 07/19/2006)
07/18/2006	<u>19</u>	USM 285 Returned Unexecuted as to Amy Munson. (mmm) (Entered: 07/19/2006)
07/18/2006	<u>20</u>	MOTION for Preliminary Injunction, MOTION for Temporary Restraining Order - filed by James W. Riley. (Attachments: # <u>1</u> Exhibit Part 1# <u>2</u> Exhibit Part 2# <u>3</u> Exhibit Part 3)(mmm) (Entered: 07/19/2006)
07/18/2006	<u>21</u>	NOTICE of potential filing of a petition for writ of mandamus by James W. Riley re <u>20</u> MOTION for Preliminary Injunction MOTION for Temporary Restraining Order. (mmm) (Entered: 07/19/2006)
07/21/2006	<u>22</u>	MOTION to Dismiss Case as Frivolous <i>Motion of Defendants, Medical Assistant Malaney and Correctional Medical Systems, to Dismiss Plaintiff's Complaint</i> - filed by Correctional Medical Systems. (Attachments: # <u>1</u> Order# <u>2</u> Certificate of Service# <u>3</u> Exhibits 1, 2, 3, 4, 5)(Connors, Kevin) (Entered: 07/21/2006)
07/21/2006	<u>23</u>	EXHIBIT <i>Exhibit 4 of Motion of Defendants, Correctional Medical Systems, to Dismiss Plaintiff's Complaint - Filed Under Seal</i> by Correctional Medical Systems. (Attachments: # <u>1</u> Certificate of Service) (Connors, Kevin) (Entered: 07/21/2006)
07/26/2006	<u>24</u>	WAIVER OF SERVICE with 285 form returned executed as to First Correctional Medical. (mmm) (Entered: 07/28/2006)
08/01/2006	<u>25</u>	MOTION for Summary Judgment - filed by James W. Riley. (asw)

		(Entered: 08/02/2006)
08/15/2006	<u>26</u>	RESPONSE to Motion re <u>25</u> MOTION for Summary Judgment filed by Malaney, Correctional Medical Systems. (Attachments: # <u>1</u> Text of Proposed Order)(Connors, Kevin) (Entered: 08/15/2006)
08/15/2006	<u>27</u>	MEMORANDUM in Support re <u>26</u> Response to Motion for Summary Judgment filed by Malaney, Correctional Medical Systems. Answering Brief/Response due date per Local Rules is 8/29/2006. (Connors, Kevin) (Entered: 08/15/2006)
08/22/2006	<u>28</u>	MOTION to Compel <i>Immediate Payment of Filing Fees</i> - filed by Malaney, Correctional Medical Systems. (Attachments: # <u>1</u> Text of Proposed Order)(Connors, Kevin) (Entered: 08/22/2006)
08/22/2006	<u>29</u>	MEMORANDUM in Support re <u>28</u> MOTION to Compel <i>Immediate Payment of Filing Fees</i> filed by Malaney, Correctional Medical Systems. Answering Brief/Response due date per Local Rules is 9/6/2006. (Attachments: # <u>1</u> Exhibit)(Connors, Kevin) (Entered: 08/22/2006)
08/25/2006	<u>30</u>	MOTION for Summary Judgment - filed by Stanley Taylor, Thomas Carroll, David Pierce. (Waters, Ophelia) Additional attachment(s) added on 8/25/2006 (asw,). (Entered: 08/25/2006)
08/25/2006	<u>31</u>	MEMORANDUM in Support re <u>30</u> MOTION for Summary Judgment (<i>State Defendants' Memorandum in Support in of Their Motion for Summary Judgment</i>) filed by Stanley Taylor, Thomas Carroll, David Pierce. Answering Brief/Response due date per Local Rules is 9/11/2006. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Waters, Ophelia) (Entered: 08/25/2006)
08/25/2006	<u>30</u>	CORRECTING ENTRY: D.I. 30, Motion for Summary Judgment has been corrected to include counsel's signature and the certificate of service. (asw) (Entered: 08/25/2006)
08/28/2006	<u>32</u>	MOTION to Amend/Correct name of defendant - filed by James W. Riley. (mmm) (Entered: 08/29/2006)
08/28/2006	<u>33</u>	REPLY BRIEF re <u>25</u> MOTION for Summary Judgment filed by James W. Riley. (mmm) (Entered: 08/29/2006)
08/28/2006	<u>34</u>	NOTICE by James W. Riley re <u>33</u> Reply Brief. (mmm) (Entered: 08/29/2006)
08/29/2006	<u>35</u>	ORDER TO SHOW CAUSE: Show Cause Response due by 9/29/2006. Signed by Judge Gregory M. Sleet on 8/29/06. (mmm) (Entered: 08/29/2006)
08/31/2006	<u>36</u>	ANSWERING BRIEF in Opposition re <u>28</u> MOTION to Compel <i>Immediate Payment of Filing Fees</i> filed by James W. Riley. Reply Brief due date per Local Rules is 9/8/2006. (mmm) (Entered: 09/01/2006)
10/03/2006	<u>37</u>	ORDER re <u>35</u> Order to Show Cause. The claims against the defendant, Amy Munson, are DISMISSED WITHOUT PREJUDICE for failure to

		effect service. Signed by Judge Gregory M. Sleet on 10/3/06. (mmm) (Entered: 10/03/2006)
10/04/2006	 <u>38</u>	MOTION to Stay Proceedings - filed by James W. Riley. (mmm) (Entered: 10/05/2006)